



Institute on Religion and Public Policy

Report on Religious Freedom in Burma

Executive Summary

Burma maintains a deplorable human rights record. The ruling military regime not only violates religious freedom, but also severely represses ethnic minorities, democracy activists, and international humanitarian agencies. The State Peace and Development Council (SPDC), Burma's military junta, monitors the activities of all religious organizations, restricts religious practice, censors religious publications, and supports violence against religious minorities. Religion and ethnic identity are often intricately intertwined in Burmese politics, which enhances the persecution particular groups experience. Ethnic minority Christians and Muslims are usually the most persecuted groups, but in the aftermath of the 2007 Saffron Revolution, the junta has increased repression of Burmese Buddhists. Despite this crackdown on the Buddhist community, Buddhism continues to hold an exalted position in Burmese society. Throughout Burma's history, patronage of the Buddhist community was necessary to legitimate a government's hold on power. The SPDC continues to forcibly promote a particular interpretation of Buddhism over other religions, which is an attempt to legitimate their power.

The Institute on Religion and Public Policy

Twice nominated for the Nobel Peace Prize, the Institute on Religion and Public Policy is an international, inter-religious non-profit organization dedicated to ensuring freedom of religion as the foundation for security, stability, and democracy. The Institute works globally to promote fundamental rights, and religious freedom in particular, with government policy-makers, religious leaders, business executives, academics, non-governmental organizations and others. The Institute encourages and assists in the effective and cooperative advancement of religious freedom throughout the world.

Legal and Policy Framework

Burma has been under siege since its independence in 1948 as a result of the ethnic and religious conflicts in the country, many of which are propagated by the SPDC. SPDC policies isolate Burma from the international community. When Cyclone Nargis hit in May 2008, killing thousands and leaving even more homeless, the SPDC initially resisted international humanitarian aid.

One of the fundamental motivating factors behind the Saffron Revolution and many of the armed insurgencies has been a desire for democracy and good governance. Activists have been calling for a Burmese constitution, and in May 2008 the SPDC announced that their proposed constitution was approved in a referendum. This constitution represents the SPDC's attempt to legitimize their hold on power as the supreme political authority. It recognizes the "special position of Buddhism," in the country's culture, but also recognizes the presence of other religions in the country. It commits the government to protect all religions recognized in the constitution and prohibits discrimination based on religious belief. The constitution and the election process have come under serious international criticism. Before the referendum, the national legislature passed a law disenfranchising leaders of religious communities, internally displaced people (IDPs), and Muslim Rohingyas. Religious and minority communities were primarily responsible for electing the main opposition party, the NLD, in the previous election in 1990; thus, this law created an election that was closed to a large portion of the population. In addition to the questionable election process, the new constitution contains provisions that will provide immunity to the SPDC, and its predecessor the SLORC, for all human rights abuses committed since 1988. It also prohibits anyone who has ever married a foreigner from holding national office, which effectively bans democratic leader Aung San Suu Kyi, who was married to a British citizen. The new constitution enhances the SPDC's monopoly on power and has been highly criticized by citizens, refugees, the media, and international organizations.

Official and Societal Abuse and Discrimination

Burma's most public crackdown on religious freedom is now called the Saffron Revolution of September 2007. It was a series of peaceful demonstrations led by Buddhist monks advocating for reduced fuel prices, democracy, and human rights protections. The SPDC reacted violently to these protests because they represented a threat to their maniacal hold on power. There were reports of at least 30 deaths, although some experts estimate that the actual number is much higher. Journalists and activists in Burma state that at least 4,000 people, many of whom were monks, were arrested during the crackdown, with estimates that between 500 and 1,000 remained in detention months later. Many of the organizers have been charged with sedition, "creating public alarm," and various other crimes, and they have been given jail sentences ranging from 3 to 65 years.

In addition to the events surrounding the Saffron Revolution and other demonstrations, other persistent religious freedom problems remain. Many of these problems are closely linked to ethnic identity, which is often a determining factor in religious affiliation. Human rights and humanitarian aid groups report that the SPDC has intensified its military offensive against the Karen ethnic minority, resulting in the destruction of 167 villages and the internal displacement of approximately 76,000 individuals. The armed wing of the Karen independence

movement has been fighting the SPDC for more than 50 years, resulting in over 500,000 internally displaced people.

Minority religious groups, especially Muslims and Christians, continued to face serious abuses of religious freedom and other human rights by the military. In some areas the local military commanders forced members of ethnic and religious minorities to provide manual labor for the military. If an individual refuses to submit to this forced labor they are threatened with criminal prosecution, fines, torture, or death. The forced labor that many Christians and Muslims have been forced to engage in has included the destruction of mosques, churches, and graveyards.

In addition to violent suppression, Muslims, particularly ethnic Rohingya Muslims, suffer from widespread and severe discrimination. The government will not allow Burma's 800,000 Rohingya Muslims to claim citizenship because their ancestors allegedly did not live in Burma prior to British colonial rule. This policy makes Rohingya Muslims stateless persons, which severely restricts their human rights and civil liberties. The government has engaged in a punitive marriage control policy whereby the government will only allow three marriages per village per year in the Muslim parts of the country. This policy is intended to create extensive government control over all aspects of Muslim family life. In June 2004, the UN Committee on the Rights of the Child expressed concern over the situation among Rohingya children, particularly with regard to the denial of their right to food, health care, and education, as well as to their ability to survive, develop, and enjoy their own culture and be protected from discrimination. In April 2007, a panel of UN experts, including the UN Special Rapporteur on Human Rights in Myanmar and the UN Special Rapporteur on Racism, Racial Discrimination and Xenophobia, issued a statement declaring that the Burmese government's denial of citizenship for Rohingya Muslims "has seriously curtailed the full exercise of their civil political, economic, social and cultural rights and led to various discriminatory practices. This includes severe restrictions on freedom of movement; various forms of extortion and arbitrary taxation; land confiscation and forced evictions; restricted access to medical care, food and adequate housing; forced labor; and restrictions on marriages."

Muslims and Christians experience great difficulty in opening and maintaining houses of worship. The government has systematically destroyed numerous churches, madrassas, and mosques since 2002. Christian groups in Kachin Chin state are repeatedly denied permits to build or repair their churches. Furthermore, a military general in Shan state confiscated land belonging to the local Catholic Church in 2007, and reparations have never been made. In January 2009, authorities in Rangoon ordered at least 100 churches to stop holding services and forced them to sign pledges to that effect. The order disproportionately affects churches operating out of rented apartments because they were denied permission to build a new church. Some Christians fear this is in retribution for the aid they provided in the relief efforts after Cyclone Nargis.

It is reported that the government actively tries to force conversions from Christianity to Buddhism among the Chin and Naga ethnic minorities. Reports from Chin state indicate that the government offers financial and career incentives to ethnic Burman Buddhist soldiers to marry Chin Christian women. This method of breeding out Christianity is not only barbaric and medieval, it also violates almost every norm and standard of religious freedom. Christian Chins reported that the government operated a high school that only Buddhist students could attend; students were guaranteed jobs upon graduation. .

According to the State Department's 2008 Report on Human Rights the Saffron Revolution was not the first or only repression of the local Buddhist community. Members of the Buddhist *sangha* (community of monks) are subject to a strict code of conduct that is enforced through criminal penalties. Furthermore, if a monk is charged with violating this code of conduct he will be tried in a military court rather than a civilian court. Monks are prohibited from preaching political sermons or publicly criticizing the SPDC policies.

In 2008 the UN General Assembly passed a resolution condemning the continuing human rights violations and urged the government to restore democracy. The UN Commission on Human Rights issued a similar condemnation in 2008. In a series of visits to Burma, the Secretary General's Special Envoy Ibrahim Gambari met twice with Aung San Suu Kyi. In addition, Paulo Sergio Pinheiro, UN Special Rapporteur on Human Rights in Myanmar, visited Burma for the first time in three years in 2007. Most recently, the junta denied Mr. Gambari's request for a visa to visit Burma in February 2008, suggesting instead that the visit be postponed until April. The Special Rapporteur was able to visit Burma in August 2008 during which time he met with government officials. His report details the government's failures in the recovery efforts after Cyclone Nargis and the inadequacies of the referendum in May 2008. Although the military government has appointed an envoy to facilitate communication with Aung San Suu Kyi and has allowed her to meet with members of her party twice since September 2007, they have stated clearly that there will be no role for the NLD, Suu Kyi's party, within Burma's process towards national reconciliation.

U.S. Foreign Policy

The political relationship between the United States and Burma worsened after the 1988 military coup and violent suppression of pro-democracy demonstrations. Subsequent repression, including the brutal crackdown on peaceful protestors in September 2007, further strained the relationship. The United States maintains broad sanctions against Burma under several different authorities. Due to its particularly severe violations of religious freedom, the United States has designated Burma a Country of Particular Concern (CPC) under the International Religious Freedom Act. Burma is also designated a Tier

3 Country in the Trafficking in Persons Report for its use of forced labor, and is subject to additional sanctions as a result.

Conclusion

Burma maintains one of the worst religious freedom practices in the world. Burmese citizens are not only subject to discrimination for their religious beliefs, but also violent repression. The military junta has used tactics such as harassment, surveillance, beating, torture, imprisonment, and death to maintain its control over the freedom of religion and religious expression.